

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

TRACY RANDELL COX-WILLIAMS,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-14-089-KEW
)	
CAROLYN W. COLVIN, Acting)	
Commissioner of Social)	
Security Administration,)	
)	
Defendant.)	

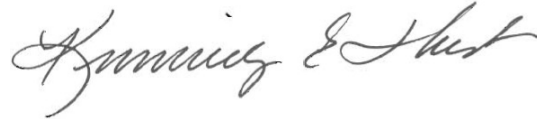
OPINION AND ORDER

This matter comes before this Court on Plaintiff's Motion for Relief Pursuant to Fed. R. Civ. P. 60(b)(6) filed by Timothy M. White, counsel for Plaintiff, on August 8, 2016 (Docket Entry #29). Counsel requests an extension of time under Fed. R. Civ. P. 60 to file a motion for attorney's fees pursuant to 42 U.S.C. § 406(b) because he has not yet received a copy of the agency award upon which the request would be based. Counsel requests he be allowed until 30 days after receiving the Notice of Award to file a § 406(b) motion.

Counsel has employed the appropriate method for seeking and obtaining an extension under Fed. R. Civ. P. 60(b)(6). McGraw v. Barnhart, 450 F.3d 493, 505 (10th Cir. 2006). The timeliness in filing the motion for attorney fees will be gauged upon the standard of reasonableness, which certainly will encompass the time required to obtain a copy of the award. This Court notes that counsel has now filed a request for fees under § 406(b). To the extent still required, counsel is afforded Rule 60(b) relief.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Relief Pursuant to Fed. R. Civ. P. 60(b)(6) filed by Timothy M. White, Plaintiff's counsel, on August 8, 2016 (Docket Entry #29) is hereby **GRANTED**.

IT IS SO ORDERED this 26th day of September, 2016.

A handwritten signature in cursive script, reading "Kimberly E. West", positioned above a horizontal line.

KIMBERLY E. WEST
UNITED STATES MAGISTRATE JUDGE